

ESHB 1830 - S COMM AMD
By Committee on Ways & Means

ADOPTED 04/23/2005

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 39.10 RCW
4 to read as follows:

5 (1) The capital projects advisory review board is created in the
6 department of general administration to provide an evaluation of public
7 capital projects construction processes, including the impact of
8 contracting methods on project outcomes, and to advise the legislature
9 on policies related to alternative public works delivery methods.

10 (2)(a) The capital projects advisory review board shall consist of
11 the following members appointed by the governor: One representative
12 from construction general contracting; one representative from the
13 design industries; two representatives from construction specialty
14 subcontracting; one representative from a construction trades labor
15 organization; one representative from the office of minority and
16 women's business enterprises; one representative from a higher
17 education institution; one representative from the department of
18 general administration; and one representative of a domestic insurer
19 authorized to write surety bonds for contractors in Washington state.
20 All appointed members must be actively engaged in or authorized to use
21 alternative public works contracting procedures.

22 (b) Two members shall be at-large positions representing local
23 public owners. The two at-large positions shall serve on a rotating
24 basis to be determined and appointed by the association of Washington
25 cities, the Washington state association of counties, and the
26 Washington public ports association.

27 (c) One member shall be a member of the public hospital district
28 project review board, selected by that board, who shall be nonvoting.

29 (d) One member shall be a member of the school district project
30 review board, selected by that board, who shall be nonvoting.

1 (e) The advisory review board shall include two members of the
2 house of representatives, one from each major caucus, appointed by the
3 speaker of the house of representatives, and two members of the senate,
4 one from each major caucus, appointed by the president of the senate.
5 Legislative members are nonvoting.

6 (3) Members selected under subsection (2)(a) of this section shall
7 serve for terms of four years, with the terms expiring on June 30th on
8 the fourth year of the term. However, in the case of the initial
9 members, four members shall serve four-year terms, four members shall
10 serve three-year terms, and three members shall serve a two-year term,
11 with each of the terms expiring on June 30th of the applicable year.
12 Appointees may be reappointed to serve more than one term.

13 (4) The capital projects advisory review board chair is selected
14 from among the appointed members by the majority vote of the voting
15 members.

16 (5) Legislative members of the capital projects advisory review
17 board shall be reimbursed for travel expenses in accordance with RCW
18 44.04.120. Nonlegislative members of the capital projects advisory
19 review board, including any subcommittee members, except those
20 representing an employer or organization, shall be reimbursed for
21 travel expenses as provided in RCW 43.03.050 and 43.03.060.

22 (6) If a vacancy occurs of the appointive members of the board, the
23 governor shall fill the vacancy for the unexpired term. Members of the
24 board may be removed for malfeasance or misfeasance in office, upon
25 specific written charges by the governor, under chapter 34.05 RCW.

26 (7) The capital projects advisory review board shall convene as
27 soon as practical after July 1, 2005, and may meet as often as
28 necessary thereafter.

29 (8) Capital projects advisory review board members are expected to
30 consistently attend review board meetings. The chair of the capital
31 projects advisory review board may ask the governor to remove any
32 member who misses more than two meetings in any calendar year without
33 cause.

34 (9) The department of general administration shall provide staff
35 support as may be required for the proper discharge of the function of
36 the capital projects advisory review board.

37 (10) The capital projects advisory review board may establish

1 subcommittees as it desires and may invite nonmembers of the capital
2 projects advisory review board to serve as committee members.

3 (11) The board shall encourage participation from persons and
4 entities not represented on the capital projects advisory review board.

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 39.10 RCW
6 to read as follows:

7 The capital projects advisory review board has the following powers
8 and duties:

9 (1) Develop and recommend to the legislature criteria that may be
10 used to determine effective and feasible use of alternative contracting
11 procedures;

12 (2) Develop and recommend to the legislature qualification
13 standards for general contractors bidding on alternative public works
14 projects;

15 (3) Develop and recommend to the legislature policies to further
16 enhance the quality, efficiency, and accountability of capital
17 construction projects through the use of traditional and alternative
18 delivery methods in Washington, and make recommendations regarding
19 expansion, continuation, elimination, or modification of the
20 alternative public works contracting methods;

21 (4) Evaluate the potential future use of other alternative
22 contracting procedures including competitive negotiation contracts.

23 NEW SECTION. **Sec. 3.** A new section is added to chapter 39.10 RCW
24 to read as follows:

25 Notwithstanding any other provision of law, and after complying
26 with RCW 39.10.030, any city that: (1) is located in a county
27 authorized under this chapter to use alternative public works
28 procedures or is located in a county that is a member of the Puget
29 Sound regional council; (2) reports in the state auditor's local
30 government financial reporting system combined general fund, special
31 revenue, debt service, capital projects, and enterprise funds revenues
32 that exceed sixty million dollars; and (3) has a population greater
33 than twenty-five thousand but less than forty-five thousand, is
34 authorized to use the general contractor/construction manager or
35 design-build procedure for one demonstration project valued over ten
36 million dollars.

1 All contracts authorized under this section must be entered into
2 before March 1, 2006.

3 NEW SECTION. **Sec. 4.** If specific funding for the purposes of this
4 act, referencing this act by bill or chapter number, is not provided by
5 June 30, 2005, in the omnibus appropriations act, sections 1 and 2 of
6 this act are null and void."

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7 On page 1, line 1 of the title, after "procedures;" strike the
8 remainder of the title and insert "adding new sections to chapter 39.10
9 RCW; and creating a new section."

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